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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/414,590	10/08/1999	K. Scott Ramey	03384.0374	3561

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EXAMINER
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CALDWELL, ANDREW T

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 12/09/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/414,590

Applicant(s)

RAMEY ET AL.

Examiner

Andrew Caldwell

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 October 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-66 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-66 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**II. Detailed Action**

***Remarks***

Claims 27-49, 71-79, and 81-83 are pending.

The Applicants are requested to amend the specification to list the serial numbers of the related applications incorporated by reference on page 5 of the specification. The Applicants are also requested to delete the attorney docket numbers.

***Claim Objections***

Claims 6-7, 20-21, 34-35, and 48-49 are objected to under 37 CFR 1.75(a) for failing to point out and distinctly claim the subject matter of the invention. As to claim 48, there is no antecedent basis for "the legacy telephony" at lines 3 and 5.

Corresponding claims 6, 20, and 34 all contain similar problems. As to claim 49, there is no antecedent basis for "the legacy telephony" at line 2. Corresponding claims 7, 21 and 35 all contain similar problems. For purposes of prior art rejections in this Office action, any use of the term the term will be construed as the "legacy telephony device."

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Art Unit: 2154

1 Patentability shall not be negated by the manner in which the invention was  
2 made.  
3

4 This application currently names joint inventors. In considering patentability of  
5 the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of  
6 the various claims was commonly owned at the time any inventions covered therein  
7 were made absent any evidence to the contrary. Applicant is advised of the obligation  
8 under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was  
9 not commonly owned at the time a later invention was made in order for the examiner to  
10 consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)  
11 prior art under 35 U.S.C. 103(a).  
12

13 Claims 1-2, 4-16, 18-30, 32-44 and 46-65 are rejected under 35 U.S.C. 103(a)  
14 as being unpatentable over Wood, U.S. Patent No. 6,091,808, in view of the Java  
15 Telephony API: An Overview, version 1.1, pp. 1-41, January 28, 1997, hereinafter the  
16 "Java Telephony API."  
17

18 Regarding claim 43, Wood teaches the invention substantially as claimed by  
19 disclosing a system comprising:

20 A digital computer containing a communication circuit for enabling a  
21 legacy call server to communicate with a web application (Fig. 1 elem. 22 web  
22 facility; more specifically Fig. 2 elems. 30 and 32);

23 A circuit for using the web application to control the legacy call server (Fig.  
24 1 elem. 22 web facility; more specifically Fig. 2 elems. 30 and 32);

25 A circuit for enabling a legacy telephone device to communicate with the  
26 web application (Fig. 1 elems. 26 SCI and 16 telephone switch; col. 6 lines 56-  
27 66).

1 Wood does not explicitly teach a circuit for using the web application to control  
2 the legacy telephone.

3 The Java Telephony API on the other hand teaches a circuit for using the web  
4 application to control the legacy telephone (p. 8 terminal object; p. 25  
5 java.telephony.phone package; pp. 27-41 showing various functions of the phone  
6 controlled by the java.telephony.phone API).

7 It would have been obvious to one of ordinary skill in the art at the time the  
8 invention was made to combine the Java Telephony API's teachings regarding the  
9 control of a telephone terminal with the system of Wood based on Wood's explicit  
10 suggestion to use the Java Telephony Toolkit (col. 4 lines 22-26).

11 Regarding claim 44, Wood teaches the invention substantially as claimed. See  
12 the rejection of claim 43 above. Wood also teaches a system including a circuit for  
13 providing a communication channel between the legacy call server and the web  
14 application (fig. 2 call control interface connecting to SCI). Wood does not specifically  
15 teach a circuit for translating data transferred between the legacy call server and the  
16 web application. On page 4, the Java Telephony API on the other hand teaches a  
17 circuit for translating data between the JTAPI API commands received in Figure 1 and  
18 the various API's shown below the telephony server. It would have been obvious to one  
19 of ordinary skill in the art at the time the invention was made to combine the Java  
20 Telephony API's teachings regarding the translation between API's with the system of  
21 Wood because of Wood's explicit suggestion to use the Java Telephony Toolkit as a

1 higher level interface (col. 4 lines 23-26). A higher level interface suggests translation  
2 to a lower level interface.

3 Regarding claim 46, Wood teaches a system wherein the circuit for using the  
4 web application to control the legacy call server includes a circuit for sending a call  
5 control command to the legacy call server (col. 6 lines 56-66).

6 Regarding claim 47, Wood teaches a system wherein the circuit for using the  
7 web application to control the legacy call server includes a circuit for sending a service  
8 control command to the legacy call server (col. 6 lines 56-66 command specifying  
9 distinctive ring as service control command).

10 Regarding claim 48, the Java Telephony API teaches a system wherein the  
11 circuit for enabling a legacy telephony device to communicate with the web application  
12 includes a circuit for providing a communication channel between the legacy telephony  
13 device and the web application (p. 8 terminal object; p. 25 java.telephony.phone  
14 package; pp. 27-41 showing various functions of the phone controlled by the  
15 java.telephony.phone API) and a circuit for translating data transferred between the  
16 legacy telephony device and the web application (Fig. 1; pp. 8, 25, and 27-41).

17 Regarding claim 49, the Java Telephony API teaches a system wherein the  
18 circuit for translating data transferred between the legacy telephony device and the web  
19 application comprises a circuit for converting web application data to legacy telephony  
20 data format and a circuit for converting legacy telephony device data to a web API data  
21 format (Fig. 1).

1           Regarding claim 50, the Java Telephony API teaches a system further  
2     comprising a circuit for using a telephony device abstraction (p. 8 terminal object).

3           As to claim 51, the combination of Wood in view of the Java Telephony API  
4     teaches the invention substantially as claimed. See the rejection of claim 50 above.  
5     The combination does not teach the additional limitation of claim 51. Official notice is  
6     hereby taken of the fact that object oriented languages, such as Java, use inheritance to  
7     create representations of objects at different levels of abstraction. It would have been  
8     obvious to one of ordinary skill in the art at the time the invention was made to combine  
9     this feature of object oriented programming languages with the system of the  
10    combination of Wood in view of the Java Telephony API by refining the terminal object  
11    class into classes representing specific types of terminals/phones having specific  
12    features (Java Telephony API discussing office phone having one number associated  
13    with it versus multiple numbers). This combination would have been obvious because  
14    the use of object oriented techniques makes the resulting code more maintainable.

15          Regarding claim 52, the Java Telephony interface teaches a circuit for routing  
16    data transferred between the legacy telephony device and the web application (p. 8  
17    terminal object). Wood teaches a circuit for arbitrating access to the legacy telephony  
18    device (col. 6 lines 56-66 checking to see whether subscriber's telephone is on-hook, or  
19    not busy).

20          Regarding claim 53, the combination of Wood in view of the Java Telephony API  
21    teaches the invention substantially as claimed. See the rejection of claim 50 above.  
22    The combination does not teach the additional limitation of claim 51. Official notice is

1 hereby taken of the fact that browser plugins are well known in the art. It would have  
2 been obvious to one of ordinary skill in the art at the time the invention was made to  
3 combine a browser plugin with the browser of Wood because plugins enhance the  
4 capabilities of browsers.

5 As to claim 54, it is unpatentable over the combination of Wood in view of the  
6 Java Telephony API because a browser is an execution environment for a plugin, and  
7 the combination as applied to claim 53 above teaches a browser including plugins.

8 Regarding claim 55, the Java Telephony API teaches a circuit for mapping the  
9 data to a legacy telephony device resource (p. 8 terminal object).

10 Regarding claim 56, Wood teaches a system wherein the web application is an  
11 interface to a telephony device (col. 6 lines 56-66).

12 Regarding claims 1-2 and 4-14, they are method claims corresponding to  
13 apparatus claims 43-44 and 46-56, respectively. Since they do not teach or define  
14 above the information in the corresponding apparatus claims, they are rejected under  
15 the same basis.

16 Regarding claims 15-16 and 18-28, they are apparatus claims written in means  
17 plus function form corresponding to apparatus claims 43-44 and 46-56, respectively.  
18 Since the particular means disclosed in this application include the "circuits" of  
19 apparatus claims 43-44 and 46-56, any combination of references that renders obvious  
20 claims 43-44 and 46-56 will also render obvious claims 15-16 and 18-28.

21 Regarding claims 29-30 and 32-43, they are media claims corresponding to  
22 apparatus claims 43-44 and 46-56, respectively. Since they do not teach or define



1 above the information in the corresponding apparatus claims, they are rejected under  
2 the same basis.

3 As to claim 57, it is unpatentable over the combination of Wood in view of the  
4 Java Telephony API for the reasons given above with respect to claim 43. As to the  
5 addition of the call server wrapper, it is noted that the specification defines it as a  
6 program that enables a legacy call server to communicate with a web application. This  
7 feature corresponds to the software on the remote telephony server of figure 1 that  
8 handles method calls from the Provider object described on page 7 of the Java  
9 Telephony API. As to the telephony device wrapper, it is noted that the specification  
10 defines a telephony device wrapper as a program that enables a legacy telephony  
11 device to communicate with a web application. This feature corresponds to the  
12 software on the remote telephony server of figure 1 that handles method calls from the  
13 terminal object described on page 8 of the Java Telephony API.

14 Regarding claims 58-64, they are rejected for the reasons given above with  
15 respect to corresponding claims 44, 46-47, 48, 50, 52, and 55. The claims correspond  
16 as follows: 58 with 44, 59 with 48, 60 with 50, 61 with 55, 62 with 52, 63 with 46, and 64  
17 with 47.

18 Regarding claim 65, the Java Telephony API teaches a system wherein the web  
19 application independently controls a user interface resource of the legacy telephony  
20 device (pp. 36-39 phone ringer methods).

21

1           Claims 3, 17, 31, 45, and 66 are rejected under 35 U.S.C. 103(a) as being  
2   unpatentable over the combination of Wood in view of the Java Telephony API as  
3   applied to claims 2, 16, 30, and 44 above, and further in view of Gralla, P., How  
4   Intranets Work, Ziff-Davis Press, pp. 94-99, 1996.

5           Regarding claims 45 and 66, the combination of Wood in view of the Java  
6   Telephony API teaches the invention substantially as claimed. See the rejection of  
7   claims 44 and 57 above. The combination of Wood in view of the Java Telephony API  
8   does not teach the additional limitation of claims 45 and 66. Gralla on the other hand  
9   teaches the use of a password/user proxy server to control access to network resources  
10   (pp. 98-99). It would have been obvious to one of ordinary skill in the art at the time the  
11   invention was made to combine Gralla's user authentication system with the system of  
12   the combination of Wood in view of the Java Telephony API by authenticating user  
13   accesses to Wood's web server. Wood describes a call forwarding function controlled  
14   via the web facility (col. 9 lines 46-64). Upon considering this example, a person of  
15   ordinary skill in the art would reasonably infer users would want to prevent malicious  
16   access to the call forwarding function and therefore recognize the need to authenticate  
17   user accesses.

18           As to claim 3, it is a method claim corresponding to apparatus claim 45. Since it  
19   does not teach or define above the information in the corresponding apparatus claim, it  
20   is rejected under the same basis.

21           As to claim 16, it is an apparatus claim written in means plus function form  
22   corresponding to apparatus claim 45. Since the particular means disclosed in this

1 application include the "circuits" of apparatus claim 45, any combination of references  
2 that renders obvious claim 45 will also render obvious claim 16.

3 As to claim 31, it is a media claim corresponding to apparatus claim 45. Since it  
4 does not teach or define above the information in the corresponding apparatus claim, it  
5 is rejected under the same basis.

7 **Conclusion**

8 A shortened statutory period for reply to this action is set to expire **THREE**  
9 **MONTHS** from the mailing date of this letter.

10  
11 Any inquiry concerning this communication or earlier communications from the  
12 examiner should be directed to Andrew Caldwell, whose telephone number is **(703)**  
13 **306-3036**. The examiner can normally be reached on M-F from 9:00 a.m. to 5:30 p.m.  
14 EST.

15  
16 If attempts to reach the examiner by phone fail, the examiner's supervisor, Meng-  
17 Ai An, can be reached at (703) 305-9678. Additionally, the fax numbers for Group 2100  
18 are as follows:

19  
20 Official Responses: (703) 746-7239  
21 After Final Responses: (703) 746-7238  
22 Draft Responses: (703) 746-7240  
23  
24

25 Any inquiry of a general nature or relating to the status of this application should  
26 be directed to the Group receptionist at (703) 305-3900.  
27

28 

29  
30 Andrew Caldwell  
31 11/27/02  
32